

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EASTMAN KODAK COMPANY,)
Plaintiff,)
v.)
RICOH COMPANY, LTD.)
Defendant.)
)

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Civil Action No. 12-CV-3109 (DLC)

[PROPOSED] ORDER FOR COMMISSION FOR DEPOSITIONS IN JAPAN

TO ANY CONSUL OR VICE CONSUL OF THE UNITED STATES EMBASSY,
TOKYO, JAPAN

Upon application of Plaintiff Eastman Kodak Company (“Kodak”) and Defendant Ricoh Company, Ltd. (“Ricoh”) and pursuant to Article 17 of the United States – Japan Consular Convention, it is hereby

ORDERED that the depositions on notice of the following witnesses, as well as other fact or corporate representatives of Ricoh or Kodak that may be identified, all of whom will appear voluntarily, be taken, and the marking of any documentary exhibits in connection therewith be completed, at the U.S. Embassy in Tokyo Japan:

Kazuya Taniguchi

Kiyoshi Kawano

Toshiyuki Kitazawa

Ko Torigoe

Kazumichi Eguchi

Shinobu Fujiki

Toshitaka Koike

Eisaku Nagaishi

Takashi Shinoda

Atsuzo Tomii

Fumio Urano

Akihiro Arai

Tohru Ushida

Masataka Tsuruta

Yusuke Kojima

Yasushi Ide

Pursuant to Federal Rule of Civil Procedure 28(b)(1)(D), any Consul or Vice Consul of the United States at Tokyo, Japan is hereby commissioned to administer any necessary oath and allow the taking of testimony from the witnesses.

It is further ORDERED that the depositions of these individuals/representatives commence on or about January 22, 2012 at 8:30 AM, and continue from day to day until on or about February 1, 2012 at 5:00 PM, and again commence on or about February 19, 2012 at 8:30 AM and continue from day to day until on or about March 8, 2012 at 5:00 PM.

Counsel for Kodak who may participate in said depositions are:

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Daniel M. Esrick

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Counsel for Ricoh who may participate in said depositions are:

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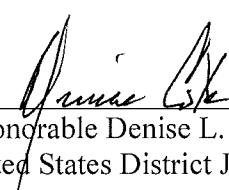
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The proceedings will be reported and/or videotaped by Karen Claire Young , Cynthia Renee Ott, Robert Vance Short, Leslie Anne Todd, Susan Dena Wasilewski, Melanie Louise Giamarco, Deborah Ruth Marshall, Lisa A. Knight, Tracy LoCastro, James Vernon Beasley, Jodi Beth Harmon and/or Peter Au with Planet Depos-American Realtime Court Reporters. Asami Isomichi and Bill Lise will act as interpreter or check-interpreter on behalf of Kodak, and Naomi Tsuji, Grace Liu, and/or Hanako Kaku will act as interpreter or check-interpreter on behalf of Ricoh. Additionally, the following individuals may provide support services to Ricoh during the depositions: Chiharu Tsuyukubo; Michiko Nagahari; and Kumiko Tanaka. Moreover, the following Ricoh employees may attend the depositions as appropriate under the Protective Order in this action: Yukihiro Kajita; Teruhiro Tadokoro; Hideyuki Nakayama; and Reika Kaneko.

Please cause the testimony of said witnesses to be recorded by video and reduced to writing; the deposition signed by said witnesses; said deposition testimony to be annexed to your Commission and closed under your seal; and these materials to be returned to this Court with all convenient speed. Alternatively, the parties may agree in writing to have the transcripts prepared and distributed among the parties by the court reporter without further Consulate or judicial involvement.

SO ORDERED.

DATED: 2/4/13


The Honorable Denise L. Cote
United States District Judge